

MONDAY, APRIL 12, 2010
EIGHTIETH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and pursuant to Senate Rule of Order 3, was called to order by Madame Speaker Pro Tempore Woodson.

PRAYER

The proceedings were opened with prayer by Dr. Tom Hellams of LifeWay in Franklin, Tennessee, a guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

Senator Johnson led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

COMMUNICATIONS

April 12, 2010

The Honorable Ron Ramsey
Speaker of the Senate
One Legislative Plaza
Nashville, Tennessee 37243

Dear Mr. Speaker:

This is to request your excuse for my absence from Session today, April 12, 2010. Due to my continued illness, I will be unable to attend.

I appreciate your consideration of this request.

Sincerely,

/s/ Jim Kyle

APPROVED: Lieutenant Governor
Ron Ramsey

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April 12, 2010

Lt. Governor Ron Ramsey
One Legislative Plaza
Nashville, TN 37243

Dear. Mr. Speaker:

I respectfully request to be excused from the Senate Session on Monday, April 12, 2010, as I will be en route from Biloxi, Mississippi, where I am attending the 3rd Annual SEUS-CP Alliance Conference. Thank you for your consideration of this request.

Sincerely,

/s/ Senator Mark Norris

APPROVED: Lieutenant Governor
Ron Ramsey

PRESENTATION

Senator Henry presented **Senate Joint Resolution No. 773** to the Holocaust Survivors and Liberators residing in Tennessee.

MOTION

Senator Black moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3949** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 3949 by Senator Beavers.

Lebanon -- As introduced, subject to local approval, revises the charter. Amends Chapter 685 of the Private Acts of 1929.

MOTION

Senator Black moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2813, 3651, 3753 and 3913** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2813 -- Sentencing -- As introduced, diverts certain non-violent property offenders from sentence of incarceration to sentence of community correction, probation or diversion program and increases percentage of sentence person convicted of aggravated robbery with weapon must serve from 30 percent to 85 percent. Amends TCA Title 40, Chapter 35.

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House Bill No. 3651 -- Uniform Laws -- As introduced, enacts the "Uniform Unsworn Declarations Act". Amends TCA Title 20; Title 24 and Title 39.

House Bill No. 3753 -- Child Abuse -- As introduced, encourages public transportation buses to promote a parental help line run by Prevent Child Abuse Tennessee; requires schools and child care facilities to distribute information on such help line. Amends TCA Title 37, Chapter 10.

House Bill No. 3913 -- Animals and Animal Cruelty -- As introduced, creates a Class A misdemeanor offense for a person who was previously convicted of animal cruelty if such person subsequently violates an animal custody restriction imposed by the sentencing court. Amends TCA Section 39-14-202.

MOTION

Senator Black moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 965 and 966** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 965 by Senator Johnson.
Memorials, Recognition -- Franklin High School, 100th anniversary.

Senate Joint Resolution No. 966 by Senator Burchett.
State Symbols -- Adopts "Smoky Mountain Rain" as an official state song.

MOTION

Senator Black moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1009, 1024 through 1027, 1029 through 1037 and 1039**; and **Senate Joint Resolutions Nos. 934 through 943 and 945 through 964** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1009 -- Naming and Designating -- "Katherine Brown Family Appreciation Day", April 16, 2010.

The Speaker announced that he had referred House Joint Resolution No. 1009 to the Committee on State and Local Government.

House Joint Resolution No. 1024 -- Memorials, Academic Achievement -- Emily Nesbitt, Valedictorian, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 1024 to the Committee on Calendar.

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House Joint Resolution No. 1025 -- Memorials, Academic Achievement -- Jennifer Kibbey, Salutatorian, Smith County High School.

The Speaker announced that he had referred House Joint Resolution No. 1025 to the Committee on Calendar.

House Joint Resolution No. 1026 -- Memorials, Academic Achievement -- Kayley Beth Wheeler, Salutatorian, Red Boiling Springs High School.

The Speaker announced that he had referred House Joint Resolution No. 1026 to the Committee on Calendar.

House Joint Resolution No. 1027 -- Memorials, Academic Achievement -- Tracy Lynne Hume, Valedictorian, Red Boiling Springs High School.

The Speaker announced that he had referred House Joint Resolution No. 1027 to the Committee on Calendar.

House Joint Resolution No. 1029 -- Memorials, Academic Achievement -- Sara Bowman, Salutatorian, Cannon County High School.

The Speaker announced that he had referred House Joint Resolution No. 1029 to the Committee on Calendar.

House Joint Resolution No. 1030 -- Memorials, Academic Achievement -- Steven Gassaway, Salutatorian, Lebanon High School.

The Speaker announced that he had referred House Joint Resolution No. 1030 to the Committee on Calendar.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement -- Winston Freeman Davis, Valedictorian, Lebanon High School.

The Speaker announced that he had referred House Joint Resolution No. 1031 to the Committee on Calendar.

House Joint Resolution No. 1032 -- Memorials, Academic Achievement -- Alberto Vidal Hernandez, Salutatorian, Lebanon High School.

The Speaker announced that he had referred House Joint Resolution No. 1032 to the Committee on Calendar.

House Joint Resolution No. 1033 -- Memorials, Academic Achievement -- Julianne Price, Top 5 Graduating Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1033 to the Committee on Calendar.

House Joint Resolution No. 1034 -- Memorials, Academic Achievement -- Jamie Michael, Top 5 Graduating Senior, Cherokee High School.

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The Speaker announced that he had referred House Joint Resolution No. 1034 to the Committee on Calendar.

House Joint Resolution No. 1035 -- Memorials, Academic Achievement -- Autumn Manning, Top 5 Graduating Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1035 to the Committee on Calendar.

House Joint Resolution No. 1036 -- Memorials, Academic Achievement -- Hunter Hamilton, Top 5 Graduating Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1036 to the Committee on Calendar.

House Joint Resolution No. 1037 -- Memorials, Academic Achievement -- Sierra Brooke Nelson, Top 5 Graduating Senior, Cherokee High School.

The Speaker announced that he had referred House Joint Resolution No. 1037 to the Committee on Calendar.

House Joint Resolution No. 1039 -- Memorials, Professional Achievement -- Carol Lawson, Signature HealthCARE Administrator, Longterm Care Administrator Week.

The Speaker announced that he had referred House Joint Resolution No. 1039 to the Committee on Calendar.

Senate Joint Resolution No. 934 -- Memorials, Retirement -- Jim Morgan.

The Speaker announced that he had referred Senate Joint Resolution No. 934 to the Committee on Calendar.

Senate Joint Resolution No. 935 -- Memorials, Academic Achievement -- Rachel Elizabeth West, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 935 to the Committee on Calendar.

Senate Joint Resolution No. 936 -- Memorials, Academic Achievement -- Shana Martin, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 936 to the Committee on Calendar.

Senate Joint Resolution No. 937 -- Memorials, Academic Achievement -- Marcus Allen Neal, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 937 to the Committee on Calendar.

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Senate Joint Resolution No. 938 -- Memorials, Academic Achievement -- Brittany Black, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 938 to the Committee on Calendar.

Senate Joint Resolution No. 939 -- Memorials, Academic Achievement -- Jennifer Casey, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 939 to the Committee on Calendar.

Senate Joint Resolution No. 940 -- Memorials, Academic Achievement -- Latesha Cummins, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 940 to the Committee on Calendar.

Senate Joint Resolution No. 941 -- Memorials, Academic Achievement -- Dru Jacob Bradley, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 941 to the Committee on Calendar.

Senate Joint Resolution No. 942 -- Memorials, Academic Achievement -- Arvis Gary Blakley, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 942 to the Committee on Calendar.

Senate Joint Resolution No. 943 -- Memorials, Academic Achievement -- William Conatser, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 943 to the Committee on Calendar.

Senate Joint Resolution No. 945 -- Memorials, Academic Achievement -- Rachel Cross, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 945 to the Committee on Calendar.

Senate Joint Resolution No. 946 -- Memorials, Academic Achievement -- Lindsay Goodman, Valedictorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 946 to the Committee on Calendar.

Senate Joint Resolution No. 947 -- Memorials, Academic Achievement -- Whitney Phillips, Valedictorian, Scott High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 947 to the Committee on Calendar.

Senate Joint Resolution No. 948 -- Memorials, Academic Achievement -- Jeremy Skyler Smith, Salutatorian, Scott High School.

The Speaker announced that he had referred Senate Joint Resolution No. 948 to the Committee on Calendar.

Senate Joint Resolution No. 949 -- Memorials, Recognition -- Town of Gordonsville, 100th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 949 to the Committee on Calendar.

Senate Joint Resolution No. 950 -- Memorials, Death -- Anna Nicole Pirtle.

The Speaker announced that he had referred Senate Joint Resolution No. 950 to the Committee on Calendar.

Senate Joint Resolution No. 951 -- Memorials, Academic Achievement -- Steven Allen Rimmer, Salutatorian, Stewart County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 951 to the Committee on Calendar.

Senate Joint Resolution No. 952 -- Memorials, Academic Achievement -- Katie Bivens, Salutatorian, South Fulton High School.

The Speaker announced that he had referred Senate Joint Resolution No. 952 to the Committee on Calendar.

Senate Joint Resolution No. 953 -- Memorials, Academic Achievement -- Sarah Nicole Gammon, Valedictorian, South Fulton High School.

The Speaker announced that he had referred Senate Joint Resolution No. 953 to the Committee on Calendar.

Senate Joint Resolution No. 954 -- Memorials, Academic Achievement -- Christina Ying En Wu, Valedictorian, Stewart County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 954 to the Committee on Calendar.

Senate Joint Resolution No. 955 -- Memorials, Death -- Eunice Mitchell Clark.

The Speaker announced that he had referred Senate Joint Resolution No. 955 to the Committee on Calendar.

Senate Joint Resolution No. 956 -- Memorials, Academic Achievement -- Antoinette Edwards, Valedictorian, Trezevant High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 956 to the Committee on Calendar.

Senate Joint Resolution No. 957 -- Memorials, Academic Achievement -- April Porter, Salutatorian, Ridgeway High School.

The Speaker announced that he had referred Senate Joint Resolution No. 957 to the Committee on Calendar.

Senate Joint Resolution No. 958 -- Memorials, Academic Achievement -- Aaron Geovanny Bernadac, Valedictorian, Craigmont High School.

The Speaker announced that he had referred Senate Joint Resolution No. 958 to the Committee on Calendar.

Senate Joint Resolution No. 959 -- Memorials, Academic Achievement -- Arthur Keith Goodell, Salutatorian, Craigmont High School.

The Speaker announced that he had referred Senate Joint Resolution No. 959 to the Committee on Calendar.

Senate Joint Resolution No. 960 -- Memorials, Academic Achievement -- Max Wim Cohen Fargotstein, Valedictorian, Ridgeway High School.

The Speaker announced that he had referred Senate Joint Resolution No. 960 to the Committee on Calendar.

Senate Joint Resolution No. 961 -- Memorials, Academic Achievement -- Atlanta Edwards, Valedictorian, Raleigh-Egypt High School.

The Speaker announced that he had referred Senate Joint Resolution No. 961 to the Committee on Calendar.

Senate Joint Resolution No. 962 -- Memorials, Academic Achievement -- Bianca Denise Cooper, Salutatorian, Raleigh-Egypt High School.

The Speaker announced that he had referred Senate Joint Resolution No. 962 to the Committee on Calendar.

Senate Joint Resolution No. 963 -- Memorials, Academic Achievement -- Markesha Tiera Jones, Valedictorian, Northeast Prep Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 963 to the Committee on Calendar.

Senate Joint Resolution No. 964 -- Memorials, Academic Achievement -- Angela Smith, Salutatorian, Northeast Prep Academy.

The Speaker announced that he had referred Senate Joint Resolution No. 964 to the Committee on Calendar.

MOTION

Senator Henry moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 764**, out of order, which motion prevailed.

Senate Joint Resolution No. 764 -- Memorials, Death -- Lt. Governor John S. Wilder.

Senator Tracy moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language to precede the final resolving clause:

BE IT FURTHER RESOLVED, that the entire segment of Interstate 40 in Fayette County is hereby designated the "Lt. Governor John S. Wilder, Sr., Memorial Highway" as a lasting tribute to an excellent public servant and even more accomplished human being.

BE IT FURTHER RESOLVED, that the Department of Transportation is directed to erect suitable signs or to affix suitable markers designating such segment of Interstate 40 as the "Lt. Governor John S. Wilder, Sr., Memorial Highway".

BE IT FURTHER RESOLVED, that the erection of such signs shall be within the guidelines prescribed by the *Manual on Uniform Traffic Control Devices*.

BE IT FURTHER RESOLVED, that the provisions of this resolution naming a segment of Interstate 40 shall become operative only if the federal highway administrator advises the Commissioner of Transportation in writing that such provisions shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

BE IT FURTHER RESOLVED, that the provisions of this resolution naming a segment of Interstate 40 shall become operative only if the cost of the manufacture and installation of such signs is paid to the Department of Transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

On motion, Amendment No. 1 was adopted.

On motion of Senator Tracy, Amendment No. 2 was withdrawn.

Senator Henry moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, **Senate Joint Resolution No. 764**, as amended, was adopted by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron,

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Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Stewart, **Senate Bill No. 1916** was recalled from the Committee on Calendar.

REFERRAL OF BILL

Senator Stewart moved that Senate Bill No. 1916 be rereferred to the Committee on Commerce, Labor and Agriculture, which motion prevailed.

MOTION

Senator Crowe moved that **House Bill No. 1184** be recalled from the House, which motion prevailed.

MOTION

Senator Johnson moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1916** on the calendar for the Committee on Commerce, Labor and Agriculture for Wednesday, April 14, 2010, which motion prevailed.

MOTION

Senator Johnson moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 965**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 965 -- Memorials, Recognition -- Franklin High School, 100th anniversary.

On motion of Senator Johnson, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 965** was adopted.

NOTICES

MESSAGE FROM THE HOUSE

April 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2643, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2933, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 8, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3277, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2403, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3854, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 8, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3291. The House nonconcurred in Senate Amendment No. 1.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 913 -- Memorials, Death -- Patricia Kimbro.

Senate Joint Resolution No. 914 -- Memorials, Recognition -- 3000th home built by Habitat for Humanity.

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Senate Joint Resolution No. 915 -- Memorials, Death -- Charlie Vergos.

Senate Joint Resolution No. 916 -- Memorials, Death -- Alex Chilton.

Senate Joint Resolution No. 918 -- Memorials, Recognition -- Rick Shepard, Leadership Blount's 2010 Community Leadership Award.

Senate Joint Resolution No. 919 -- Memorials, Death -- Clarence Warren "Pete" Houck.

Senate Joint Resolution No. 920 -- Memorials, Academic Achievement -- Paige Ferguson, Valedictorian, Red Boiling Springs High School.

Senate Joint Resolution No. 921 -- Memorials, Academic Achievement -- Megan Patch, Valedictorian, Red Boiling Springs High School.

Senate Joint Resolution No. 922 -- Memorials, Academic Achievement -- Ruth S. Gomar, Valedictorian, Cannon County High School.

House Joint Resolution No. 1006 -- Memorials, Professional Achievement -- Janet Williams, Governor of the Tennessee District of Pilot International.

House Joint Resolution No. 1008 -- Memorials, Professional Achievement -- Angie Carrier, 2009 Administrator of the Year.

House Joint Resolution No. 1021 -- Memorials, Public Service -- 100th anniversary of UT Extension and Tennessee 4-H.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2482 -- Education -- As introduced, requires Department of Education, office of early learning to disseminate its annual report on the voluntary pre-K program to the public via its Web site. Amends TCA Title 49, Chapter 3 and Title 49, Chapter 6, Part 1.

On motion, Senate Bill No. 2482 was made to conform with **House Bill No. 3737**.

On motion, House Bill No. 3737, on same subject, was substituted for Senate Bill No. 2482.

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Senate Bill No. 2552 -- Guardianship -- As introduced, removes brokerage firms from definition of "financial institution" for purposes of determining whether to require a conservatorship or guardianship bond and whether to approve certain investments. Amends TCA Title 34, Chapter 1, Part 1.

On motion, Senate Bill No. 2552 was made to conform with **House Bill No. 2668**.

On motion, House Bill No. 2668, on same subject, was substituted for Senate Bill No. 2552.

Senate Bill No. 2955 -- Sunset Laws -- As introduced, extends Tennessee heritage conservation trust fund board of trustees, June 30, 2012. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7.

On motion, Senate Bill No. 2955 was made to conform with **House Bill No. 2479**.

On motion, House Bill No. 2479, on same subject, was substituted for Senate Bill No. 2955.

Senate Bill No. 3065 -- Uniform Laws -- As introduced, enacts the "Uniform Child Abduction Prevention Act". Amends TCA Title 36.

On motion, Senate Bill No. 3065 was made to conform with **House Bill No. 2995**.

On motion, House Bill No. 2995, on same subject, was substituted for Senate Bill No. 3065.

Senate Bill No. 3255 -- Local Education Agency -- As introduced, requires that LEAs shall update their policy pamphlets every two years, rather than annually. Amends TCA Title 49, Chapter 2.

Senate Bill No. 3275 -- Education -- As introduced, requires semi-annual report of the Commissioner of Education on school disciplinary actions to be made to the Select Committee on Children and Youth as well as education oversight and the Senate and House Education Committees. Amends TCA Title 37 and Title 49.

Senate Bill No. 3321 -- Education, Curriculum -- As introduced, requires the Commissioner of Education to encourage LEAP programs to provide extended learning that is complementary to school curricula. Amends TCA Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 6 and Title 49, Chapter 1.

Senate Bill No. 3540 -- Animals and Animal Cruelty -- As introduced, creates a Class A misdemeanor offense for a person who was previously convicted of animal cruelty if such person subsequently violates an animal custody restriction imposed by the sentencing court. Amends TCA Section 39-14-202.

On motion, Senate Bill No. 3540 was made to conform with **House Bill No. 3913**.

On motion, House Bill No. 3913, on same subject, was substituted for Senate Bill No. 3540.

Senate Bill No. 3727 -- Historical Sites and Preservation -- As introduced, authorizes Tennessee State Museum to contract for the repair, renovation, and maintenance of the McCampbell House in Donelson. Amends TCA Title 4, Chapter 13.

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Senate Joint Resolution No. 798 -- General Assembly, Statement of Intent or Position -- Expresses support of a world-class public education system for Tennessee and expectations that teachers, parents, and students must all pursue excellence to achieve that goal.

Senate Joint Resolution No. 886 -- Naming and Designating -- "Prader-Willi Syndrome Awareness Month", May 2010.

Senate Joint Resolution No. 890 -- General Assembly, Statement of Intent or Position -- Need for mammograms for women age 40 and older.

House Joint Resolution No. 906 -- Naming and Designating -- "Colorectal Cancer Awareness Month", March 2010.

House Joint Resolution No. 961 -- Naming and Designating -- "National Teacher Day", May 4, 2010.

Senator Faulk moved that all Senate Joint Resolutions be adopted; all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 698 -- Constitutional Amendments -- Provides for the direct popular election of the state attorney general.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the language "No person shall be eligible for election to more than two four-year terms." immediately following the language "An attorney general and reporter for the state shall be popularly elected by the qualified voters of the state and shall hold office for a term of four years and until a successor is elected and qualified." in the amendatory language of the first resolving clause of the printed resolution.

On motion, Amendment No. 1 was adopted.

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

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Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 698**, as amended, had been read.

Senate Joint Resolution No. 897 -- General Assembly, Statement of Intent or Position -- Urges Attorney General and Reporter Bob Cooper to join other states in contesting the implementation of any unconstitutional provisions of the federal health care legislation.

Senate Joint Resolution No. 897 was adopted by the following vote:

Ayes	21
Noes	8
Present, not voting ...	1

Senators voting aye were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Finney, Gresham, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Barnes, Berke, Burks, Ford, Harper, Haynes, Marrero and Stewart--8.

Senator present and not voting was: Henry--1.

A motion to reconsider was tabled.

Senate Joint Resolution No. 784 -- General Assembly, Directed Studies -- Requests reports from the Department of Environment and Conservation relative to TVA Emergency Preparedness and transition to dry coal ash storage.

Senator McNally moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language immediately following the first resolving paragraph and by substituting instead the following:

BE IT FURTHER RESOLVED, that the Department of Environment and Conservation shall report annually, by February 1 of each year, on TVA's progress in transition to dry coal ash storage at each of its coal plants in Tennessee using information known to the department arising from the continued environmental restoration activities at the Kingston power plant and the affected lands and rivers, and the department's records arising from solid waste, air quality, and water pollution control or other permitting of TVA facilities and facilities which are used for the disposition or storage of coal ash produced from TVA power plants. New information respecting structural evaluations of all presently used coal ash storage facilities, both wet and dry landfills, which raise concerns as to safety or the release of pollutants to the environment should be included. Annual reports are requested until the transition to dry coal ash storage is complete for all TVA plants in Tennessee.

BE IT FURTHER RESOLVED, that such annual reports shall also include a summary of the structural analyses and geotechnical investigations submitted to the department by TVA or derived from other sources as well as information on TDEC's progress on incorporating into the

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department's permitting processes the recommendations of the Advisory Committee that an independent evaluation board, including geotechnical and dam safety experts, be used to provide expert oversight during the design, construction, and closure plan development.

BE IT FURTHER RESOLVED, that nothing in this resolution shall be construed to require that TDEC conduct studies in addition to those studies which are necessary and appropriate as arising from the continued environmental restoration activities at the Kingston power plant and the affected lands and rivers, and the department's records arising from the transition to dry coal combustion products storage and the permitting of TVA facilities and facilities which are used for the disposition or storage of coal ash produced from TVA power plants. TEC is authorized to seek to recover costs from TVA for the investigation, preparation, and presentation of these reports.

On motion, Amendment No. 1 was adopted.

Senator Burchett moved that **Senate Joint Resolution No. 784**, as amended, be moved five places down on the Calendar for today, which motion prevailed.

Senator Berke moved that **Senate Bill No. 1444** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Senate Bill No. 2198 -- Juveniles -- As introduced, requires the Commissioner of Education to include in the commissioner's annual report information on the education of juveniles in detention. Amends TCA Title 33; Title 37; Title 41 and Title 49.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. (a) This section shall apply to the following facilities:

(1) Juvenile detention facilities approved, certified or licensed by the Department of Children's Services; and

(2) Facilities for children who are not in the custody of the Department of Children's Services that provide community-based alternative educational programs whose purposes are prevention of delinquency, rehabilitation of delinquent youth or otherwise addressing unruly behavior that places youth at risk educationally or at risk of coming into state custody.

(b) Each facility shall report no later than August 31, 2010, to the Department of Education the number of youth detained or served, as well as relevant demographic and service delivery information as specified by the Department of Education, including, but not limited to, date of entry and date of exit from the facility for the time period of July 1, 2008 through June 30, 2010.

(c) On or before January 15, 2011, the Department of Education shall provide a report containing a compilation of the data and a detailed analysis of the findings to the chair of the select committee on children and youth, the executive director of the

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commission on children and youth, the chairs of the Education Committees of the Senate and the House of Representatives and the Commissioner of the Department of Children's Services. Such report shall include, but not be limited to, the following recommendations:

(1) A process to properly determine and direct the allocation of BEP funding for the purpose of education of youth in these facilities; and

(2) A process to ensure grades and attendance records are transferable between local education agencies and these facilities.

SECTION 2. The State Board of Education, in consultation with the Department of Children's Services and the Department of Education, shall develop or modify curriculum-based standards, as necessary, for the education of children in these facilities consistent with those applicable to all other school systems.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2198**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Yager--30.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 2465** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Senate Bill No. 2606 -- Register of Deeds -- As introduced, authorizes Hamilton County register's office to collect a \$2.00 electronic filing submission fee for each electronically-filed document recorded over the Internet through such register's county-run electronic filing portal; documents filed by governmental entities are exempt; requires approval of two-thirds of local legislative body. Amends TCA Title 8, Chapter 21, Part 10.

On motion, Senate Bill No. 2606 was made to conform with **House Bill No. 2510**.

On motion, House Bill No. 2510, on same subject, was substituted for Senate Bill No. 2606.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subdivision (j)(1) in the amendatory language of Section 1 of the bill and substituting instead the following:

(j)(1) In addition to any other fee permitted in this section or by law, the register of any county having a population of:

<u>not less than:</u>	<u>nor more than:</u>
26,700	26,800
31,300	31,400
69,400	69,500
182,000	182,100
307,800	307,900

according to the 2000 federal census or any subsequent federal census, may demand and receive for such register's services a two dollar (\$2.00) electronic filing (efile) submission fee for each electronically filed document which is recorded over the Internet through such register's county electronic filing portal.

On motion, Amendment No. 2 was adopted.

Senator Finney moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting subdivision (j)(1) in the amendatory language of Section 1 of the bill and by substituting instead the following:

(j)(1) In addition to any other fee permitted in this section or by law, the register of any county having a population of:

<u>not less than:</u>	<u>nor more than:</u>
26,700	26,800
31,300	31,400
69,400	69,500
91,800	91,900
182,000	182,100
307,800	307,900

according to the 2000 federal census or any subsequent federal census, may demand and receive for such register's services a two dollar (\$2.00) electronic filing (efile) submission fee for each electronically filed document which is recorded over the Internet through such register's county electronic filing portal.

On motion, Amendment No. 3 was adopted.

Senator Black moved to amend as follows:

AMENDMENT NO. 4

AMEND by inserting the figure "130,400" under the column heading "not less than" and by inserting the figure "130,500" under the column heading "nor more than" in subdivision (j)(1) in Section 1 of the bill as amended.

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On motion, Amendment No. 4 was adopted.

Senator Overbey moved to amend as follows:

AMENDMENT NO. 5

AMEND by inserting the language "or any county having a population of not less than seventy-one thousand one hundred (71,100) nor more than seventy-one thousand two hundred (71,200)", between the language "(307,900)", and the language "according to" in the amendatory language of subsection (j)(1) of Section 1.

On motion, Amendment No. 5 was adopted.

Senator McNally moved to amend as follows:

AMENDMENT NO. 6

AMEND by deleting subdivision (j)(1) in the amendatory language of Section 1 of the bill and by substituting instead the following:

(j)(1) In addition to any other fee permitted in this section or by law, the register of any county having a population of:

<u>not less than:</u>	<u>nor more than:</u>
26,700	26,800
31,300	31,400
69,400	69,500
91,800	91,900
182,000	182,100
307,800	307,900

according to the 2000 federal census or any subsequent federal census, may demand and receive for such register's services a two dollar (\$2.00) electronic filing (efile) submission fee for each electronically filed document which is recorded over the Internet through such register's county electronic filing portal.

On motion, Amendment No. 6 was adopted.

On motion of Senator McNally, Amendment No. 7 was withdrawn.

Senator Watson moved that **House Bill No. 2510**, as amended, be moved two places down on the Calendar for today, which motion prevailed.

Senate Bill No. 2867 -- Mental Illness -- As introduced, directs Commissioner of Mental Health and Developmental Disabilities to report to certain legislative committees concerning adding mental health issues to the Drug Court Treatment Act of 2003. Amends TCA Title 16, Chapter 22, Part 1 and Title 33.

On motion, Senate Bill No. 2867 was made to conform with **House Bill No. 3022**.

On motion, House Bill No. 3022, on same subject, was substituted for Senate Bill No. 2867.

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On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3022** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Yager--30.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE JOINT RESOLUTION NO. 784, AS AMENDED

Senator Burchett moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language immediately following the first resolving paragraph and by substituting instead the following:

BE IT FURTHER RESOLVED, that the Department of Environment and Conservation shall report annually, by February 1 of each year, on TVA's progress in transition to dry coal ash storage at each of its coal plants in Tennessee using information known to the department arising from the continued environmental restoration activities at the Kingston power plant and the affected lands and rivers, and the department's records arising from solid waste, air quality, and water pollution control or other permitting of TVA facilities and facilities which are used for the disposition or storage of coal ash produced from TVA power plants. New information respecting structural evaluations of all presently used coal ash storage facilities, both wet and dry landfills, which raise concerns as to safety or the release of pollutants to the environment should be included. Annual reports are requested until the transition to dry coal ash storage is complete for all TVA plants in Tennessee.

BE IT FURTHER RESOLVED, that such annual reports shall also include a summary of the structural analyses and geotechnical investigations submitted to the department by TVA or derived from other sources as well as information on TDEC's progress on incorporating into the department's permitting processes the recommendations of the Advisory Committee that an independent evaluation board, including geotechnical and dam safety experts, be used to provide expert oversight during the design, construction, and closure plan development.

BE IT FURTHER RESOLVED, that nothing in this resolution shall be construed to require that TDEC conduct studies in addition to those studies which are necessary and appropriate as arising from the continued environmental restoration activities at the Kingston power plant and the affected lands and rivers, and the department's records arising from the transition to dry coal combustion products storage and the permitting of TVA facilities and facilities which are used for the disposition or storage of coal ash produced from TVA power plants. TDEC is authorized to seek to recover costs from TVA for the investigation, preparation, and presentation of these reports.

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Pursuant to Rule 39(3), Amendment No. 2 was adopted by the following vote:

Ayes	29
Noes	0
Present, not voting . . .	1

Senators voting aye were: Barnes, Beavers, Berke, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Yager--29.

Senator present and not voting was: Black--1.

Thereupon, **Senate Joint Resolution No. 784**, as amended, was adopted by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Yager--30.

A motion to reconsider was tabled.

Senator Watson moved that **House Bill No. 2510**, as amended, be placed at the heel of the Calendar for today, which motion prevailed.

Senator Finney moved that **Senate Bill No. 3194** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Senate Bill No. 3257 -- Schools, Charter -- As introduced, changes the date by which the comptroller shall report the charter school task force's findings and recommendations to the general assembly from February 2, 2010, to February 2, 2011. Amends TCA Section 49-13-129.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-129, is amended by deleting the section in its entirety and by substituting instead the following:

There is hereby created a task force to study and evaluate this chapter, to address, including, but not limited to, statutory inconsistencies and technical issues; fiscal issues; administrative compliance; identification and communication of charter schools' best practices; the design and method of training for charter schools' board members; facility needs; transportation; food services; communication between LEAs and charter schools' boards, principals and administrative staff; employee benefits; and charter school boards' accountability. The task force shall include, at a minimum, two (2) representatives appointed by the superintendent of Memphis City Schools;

two (2) charter school representatives appointed by the superintendent of Metropolitan Nashville Public Schools; two (2) representatives appointed by the superintendent of Hamilton County Schools; six (6) representatives appointed by the Tennessee Charter Schools Association; one (1) representative from the Department of Education; and one (1) representative from the State Board of Education. The comptroller of the treasury shall be responsible for the coordination of the task force, including, but not limited to, facilitating communications among task force members. The comptroller shall report the task force's findings and recommendations, including recommended legislation or rules, to the general assembly by February 2, 2011; provided, however, that a public charter school's board shall issue an interim report of its most recent training to the LEA in which the public charter school is located no later than sixty (60) days after August 1, 2010.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3257**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 3304 -- Education -- As introduced, requires public postsecondary institutions to grant college credit to entering students who successfully participated as high school students in the International Baccalaureate Diploma Programme; establishes a monetary incentive program for schools and school districts that participate in the International Baccalaureate Diploma Programme. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5; Title 49, Chapter 6 and Title 49, Chapter 7, Part 1.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 49-2-1__. A school may establish an International Baccalaureate Programme fund or an Advanced Placement fund to receive donations or grants from individuals or from private corporations, associations or other artificial entities, both nonprofit and for profit, who desire to help support an International Baccalaureate Programme or an Advanced Placement program offered or attempted to be

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established by the school. Monies in such fund shall be used solely for academic enhancement in support of the program for which the fund was created. The principal of each school establishing a fund shall appoint a committee which shall be responsible for the determination of the use of funds for the program for which the fund was created.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3304**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 3311 -- Textbooks -- As introduced, requires students be allowed to take textbooks that are assigned to the student home in order to study. Amends TCA Title 49, Chapter 6, Part 22.

On motion, Senate Bill No. 3311 was made to conform with **House Bill No. 3711**.

On motion, House Bill No. 3711, on same subject, was substituted for Senate Bill No. 3311.

Senator Kelsey moved that **House Bill No. 3711** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Madame Speaker Pro Tempore moved that **Senate Bill No. 3346** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Senator Finney moved that **Senate Bill No. 3392** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Mr. Speaker Ramsey moved that **Senate Bill No. 3484** be placed on the Calendar for Monday, April 19, 2010, which motion prevailed.

Senate Bill No. 3519 -- Property -- As introduced, requires that the lender, trustee, or other creditor send the debtor a notice of the right to foreclose prior to the first publication of a notice of a foreclosure sale of a deed of trust, mortgage, or other lien securing the payment of money or other thing of value on an owner-occupied residence. Amends TCA Titles 35 and 45.

On motion, Senate Bill No. 3519 was made to conform with **House Bill No. 3588**.

On motion, House Bill No. 3588, on same subject, was substituted for Senate Bill No. 3519.

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On motion of Senator Beavers, Amendment No. 1 was withdrawn.

On motion of Senator Beavers, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 3588** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 3627 -- Judicial Districts -- As introduced, clarifies that any drug testing fee or other fee that was assessed and collected in the ninth judicial district before such fees were repealed in 2007 to be designated for use by the ninth judicial district drug task force. Amends TCA Title 39, Chapter 17, Part 4.

Senator Black declared Rule 13 on **Senate Bill No. 3627**.

Senate Bill No. 3627 passed its third and final consideration by the following vote:

Ayes	29
Noes	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

Senator voting no was: Marrero--1.

A motion to reconsider was tabled.

Senate Bill No. 3804 -- Day Care -- As introduced, prohibits the Department of Human Services from requiring child care providers to disclose personal information that is not related to the department's regulatory authority such as information regarding the provider's long-range career plans. Amends TCA Section 71-3-502.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 of the printed bill in its entirety and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 71-3-502(j)(2), is amended by adding the following new subdivision:

(F) The department, and the advisory council created by subdivision (j)(5), are urged to review the key indicators for the report card and the rated licensing system created by this subsection (j) to determine if questions regarding those key indicators should be revised.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3804**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 3828** be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

Senator Stewart moved that **Senate Bill No. 3875** be placed on the Calendar for Monday, April 19, 2010, which motion prevailed.

Senator Watson moved that **House Bill No. 2510**, as amended, be placed on the Calendar for Thursday, April 15, 2010, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3894 -- Election Laws -- As introduced, requires the secretary of state to provide an annual report to the general assembly on the use of Help America Vote funds. Amends TCA Title 2.

HOUSE AMENDMENT NO. 2

AMEND by deleting Section 1 of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 1, Part 1, is amended by adding a new section thereto, as follows:

Section 2-1-118. The secretary of state shall file a copy of the previous year's consolidated report on "Help America Vote Act" (HAVA) Title I, Section 101 funds and Title II, Section 251 requirements and payments to the Finance, Ways and Means Committees of the Senate and House of Representatives, the fiscal review committee and the office of legislative budget analysis by February 1 of each year.

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Senator Haynes moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 3894**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3731 -- Workers' Compensation -- As introduced, establishes a procedure for handling disputes involving future medicals in a workers' compensation case after judgment or settlement. Amends TCA Title 50, Chapter 6.

HOUSE AMENDMENT NO. 2

AMEND by deleting the following language from subdivision (g)(2) in Section 1 of the bill as amended:

(E) Under the authority granted to a court by § 50-6-204(b)(2) and § 50-6-226 when considering a request for enforcement of this subdivision (g)(2), a court may award attorney fees and other reasonable costs as set by the court.

AND FURTHER AMEND by adding the following language at the end of subdivision (g)(2)(B) in Section 1 of the bill as amended:

The specialist's authority shall also include any authority granted to a court by § 50-6-204(b)(2), to award attorney fees and reasonable costs that include reasonable and necessary court reporter expenses and expert witness fees for depositions.

Senator Haynes moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 3731**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3362 -- Sexual Offenders -- As introduced, requires the board of medical examiners to revoke the license of any person licensed to practice medicine who is a registered sexual offender and requires board to compare, by September 1, 2010, list of persons licensed to

practice medicine with list of registered sexual offenders and violent sexual offenders. Amends TCA Title 40, Chapter 39, Part 2; Title 63, Chapter 6, Part 2 and Title 63, Chapter 9.

HOUSE AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-6-214, is amended by deleting subdivision (b)(10) and substituting instead the following:

(10) Conviction of a felony, conviction of any offense under state or federal laws relative to drugs or the practice of medicine, conviction of any offense involving moral turpitude or conviction of any offense for which the person is required to register as a sexual offender or violent sexual offender pursuant to Title 40, Chapter 39, Part 2;

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following new section:

Section 63-6-238.

(a)(1) The general assembly finds that a person who is licensed to practice medicine in this state and who is required to register with the Tennessee bureau of investigation as a sexual offender or violent sexual offender is injurious to the public safety, health and welfare as well as the public's perception of and confidence in the medical profession.

(2) The general assembly further finds that the strongest remedial action possible should be taken against a person's license to practice medicine when such person has been convicted of a sexual offense, or violent sexual offense as both are defined in Title 40, Chapter 39, Part 2, and continues to engage in the practice of medicine in this state after such conviction.

(3) Enactment of this section by the general assembly is declared to be a remedial action necessary to assure the safety of the citizens of this state and their faith and confidence in the medical profession. This section is not to be construed to be punitive against any person to whom this section may apply.

(b) As used in this section:

(1) "Registry" means the registry created by the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, codified in Title 40, Chapter 39, Part 2;

(2) "Registering agency" means a sheriff's office, municipal police department, metropolitan police department, campus law enforcement agency, the Tennessee Department of Correction, a private contractor with the Tennessee Department of Correction or the board with whom sexual offenders and violent sexual offenders are required to register under Title 40, Chapter 39, Part 2;

(3) "Sexual offense" means those offenses defined as "sexual offenses" in § 40-39-202;

(4) "Violent sexual offense" means those offenses defined as "violent sexual offenses" in § 40-39-202;

(c)(1) If the registering agency of a person who registers as a sexual offender or violent sexual offender, as defined by Title 40, Chapter 39, Part 2, has reason to believe that such person is licensed to practice medicine in this state pursuant to this chapter, the registering agency shall prepare and forward to the board of medical examiners a certified copy of the offender's TBI registration form within thirty (30) days of the sexual offender's or violent sexual offender's registration.

(2) Upon receipt of the form, or upon receipt of credible evidence from any other source indicating that a person licensed to practice medicine in this state has been convicted of a sexual offense or a violent sexual offense, the board shall investigate to determine whether such person is a sexual offender or violent sexual offender, as defined by § 40-39-202, and a person licensed to practice medicine pursuant to this chapter.

(A) If the board determines that the person named on the TBI registration form, or by another source, is a person licensed to practice medicine in this state pursuant to this chapter and the offense for which the person is required to register a violent sexual offense, such conviction constitutes a material change in the person's licensure qualifications, and the board shall conduct a hearing at which the person may present evidence that the information received by the board is incorrect. If, after the hearing, the board finds the person was convicted of a violent sexual offense and is required to register with the TBI as a violent sexual offender, the board shall revoke the person's license to practice medicine in accordance with § 63-6-216. The person may appeal the ruling of the board as provided in the Uniform Administrative Procedures Act, but such appeal shall be limited to the issue of whether or not such person has been convicted of a violent sexual offense and is therefore required to register as a violent sexual offender. The license revocation shall remain in effect during the pendency of any appeal.

(B) If the person licensed to practice medicine is required to register as a sexual offender, the board shall conduct a hearing to determine the extent to which the person poses a continuing risk to patients; the degree to which the person has been rehabilitated; what treatment, if any, the person has undergone; the areas of medicine in which the person is qualified to engage without endangering the safety of patients; and any other factor the board deems relevant in

determining the outcome most likely to protect the public while considering the interests of the person. At the conclusion of the hearing, the board may:

(i) Revoke the license of the person; or

(ii) If the board does not revoke the license, it may place such conditions on the person's license as it deems appropriate and advisable to protect the interests and safety of the public; provided the board shall place the following restrictions on the person's license:

(a) Prohibit the physician from engaging in direct patient care or contact; and

(b) Such other conditions and limitations on the person's license as the board deems advisable.

(C)(i) If a person's license to practice medicine was revoked, suspended or conditioned pursuant to subdivision (c)(2)(B) because such person was convicted of a sexual offense and such person applies for and is granted termination of sexual offender registry requirements pursuant to § 40-39-207, such person may petition the board for reinstatement of the person's license to practice medicine.

(ii) If a petition is filed for reinstatement pursuant to this subsection, the board shall hear the petition within thirty (30) calendar days of its receipt. At the hearing the board shall use the same analysis set out in subdivision (c)(2)(B) to determine whether the person should be permitted to practice medicine in this state under any circumstances.

(iii) If the written findings of the board are that the person is no longer a threat to public safety and could return to the practice of medicine in some capacity, it may:

(a) Reinstatement the person's license without conditions;

(b) Reinstatement the person's license with any or all the conditions available under subdivision (c)(2)(B); or

(c) Remove some or all of the restrictions or conditions that were placed on a license made conditional pursuant to subdivision (c)(2)(B).

(iv) If the written findings of the board are that the person could not safely return to the practice of medicine, it shall deny the person's petition and set a date certain after which the person may repetition the board.

(D) If the board receives credible evidence from any source indicating that the person is in violation of the restrictions placed upon such person's license to practice medicine pursuant to this section, the board shall conduct a hearing as provided in subdivision (c)(2)(B). If at the conclusion of the hearing, the board finds that the person is in violation of the restrictions placed upon the person's license in a material respect or in a repetitive manner, the board shall revoke the license. If the board finds that the violation is minor or isolated, it may place other conditions on the person's license, such as increased reporting to the board by both the person and the person's employer or contractor, if any.

(E) The provisions of this subdivision (c)(2) shall apply regardless of whether commission of the sexual offense or violent sexual offense resulting in the person being required to register as a sexual or violent sexual offender occurred prior to or subsequent to the date the person was licensed to practice medicine in this state.

(d) By September 1, 2010, the board shall compare or have compared a list of all persons who are licensed to practice medicine in this state against the list of persons who are registered as sexual offenders or violent sexual offenders pursuant to Title 40, Chapter 39, Part 2. If it appears from this comparison that the same name appears on both lists, the board shall request a certified copy of that person's TBI registration form. Upon receipt of the form from the TBI, the board shall conduct an investigation to determine if the person licensed to practice medicine in this state is the same person who is a registered sexual offender or violent sexual offender. Such investigation shall take no more than thirty (30) days. If the board determines that the person whose name appears on both lists is the same person, it shall immediately take action as provided in subdivision (c)(2) of this section. If the person whose name appears on both lists is not the same person, the board shall take no action.

(e)(1) Upon the effective date of this act, the board shall determine, before granting a license to practice medicine in this state, or renewing an existing license, if the person who is applying for such a license is registered or is required to be registered as a sexual offender or violent sexual offender pursuant to Title 40, Chapter 39, Part 2.

(2) If any applicant for a license to practice medicine in this state is a registered violent sexual offender or is required to register as a violent sexual offender, the board shall deny the application. If any person who is licensed to practice medicine in this state and is seeking

to renew such license is a registered violent sexual offender or is required to register as a violent sexual offender, the board shall revoke the physician's license.

(3) If any applicant to the board is registered as a sexual offender or is required to register as a sexual offender, the board shall consider whether the applicant poses a risk to patients; the degree to which the person has been rehabilitated; what treatment, if any, the person has undergone; the areas of medicine in which the applicant is qualified to engage without endangering the safety of patients; and any other factor the board deems relevant in determining what conditions are most likely to protect the public while considering the interests of the applicant. The board may deny the application or may place such conditions upon the applicant as are necessary to protect the public. If the board grants the license, at a minimum the board shall prohibit the applicant from engaging in direct patient care or contact for so long as the applicant is required to register as a sexual offender.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it and shall apply to any person licensed to practice medicine in this state, whether such license was issued prior to or after the effective date of this act, and to any person applying to practice medicine in this state, whether the application was filed prior to or after the effective date of this act.

Senator Black moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 3362**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 4

AMEND by deleting the following language from subdivision (e)(2) in § 63-6-238 in Section 2 of the bill as amended by amendment drafting code # 1644171:

If any person who is licensed to practice medicine in this state and is seeking to renew such license is a registered violent sexual offender or is required to register as a violent sexual offender, the board shall revoke the physician's license.

Senator Black moved that the Senate nonconcur in House Amendment No. 4 to **Senate Bill No. 3362**, which motion prevailed.

MOTION

Senator Faulk moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1038**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1038 -- Naming and Designating -- "EyeCare America Week", April 12-16, 2010.

On motion of Senator Faulk, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1038** was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Burks, **House Joint Resolution No. 1009** was recalled from the Committee on State and Local Government.

MOTION

Senator Burks moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1009**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1009 -- Naming and Designating -- "Katherine Brown Family Appreciation Day", April 16, 2010.

On motion of Senator Burks, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1009** was concurred in.

MOTION

On motion of Senators Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 965**.

On motion of Senators Stewart, Tracy, Herron, Burks, Ketron and Ford, their names were added as sponsors of **Senate Joint Resolution No. 914**.

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On motion of Senators Berke, Herron and Finney, their names were added as sponsors of **Senate Joint Resolution No. 915**.

On motion of Senators Tracy and Black, their names were added as sponsors of **Senate Joint Resolutions Nos. 920, 921 and 922; and House Joint Resolution No. 1008**.

On motion of Senator Burks, her name was added as sponsor of **Senate Bills Nos. 2955 and 3875**.

On motion of Senators Black, Marrero, Burks and Harper, their names were added as sponsors of **Senate Bill No. 3065**.

On motion of Senator Ford, her name was added as sponsor of **Senate Bill No. 3255**.

On motion of Senator Marrero, her name was added as sponsor of **Senate Bills Nos. 3275, 3321 and 3540**.

On motion of Senators Berke, Black and Burks, their names were added as sponsors of **Senate Joint Resolution No. 798**.

On motion of Senators Black and Marrero, their names were added as sponsors of **Senate Joint Resolution No. 890**.

On motion of Senators Burks, Berke, Black, Marrero, Crowe, Yager, Harper, Finney and Ford, their names were added as sponsors of **House Joint Resolution No. 906**.

On motion of Senators Burks, Barnes, Beavers, Berke, Black, Bunch, Burchett, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolutions Nos. 961 and 1021**.

On motion of Senator Johnson, his name was added as sponsor of **Senate Joint Resolution No. 698**.

On motion of Senators Gresham, Tracy and Johnson, their names were added as sponsors of **Senate Joint Resolution No. 897**.

On motion of Senators Herron and Marrero, their names were added as sponsors of **Senate Joint Resolution No. 784**.

On motion of Senators Gresham, Marrero, Ford and Harper, their names were added as sponsors of **Senate Bill No. 2198**.

On motion of Senator Henry, his name was added as sponsor of **Senate Bill No. 3304**.

On motion of Senators Yager and Berke, their names were added as sponsors of **Senate Bill No. 3484; and Senate Joint Resolution No. 886**.

On motion of Senators Berke, Marrero, Burks, Barnes and Yager, their names were added as sponsors of **Senate Bill No. 3519**.

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On motion of Senators Yager and Bunch, their names were added as sponsors of **Senate Bill No. 3627**.

On motion of Senator Black, her name was added as sponsor of **Senate Bill No. 3828**.

On motion of Senators Burks and Ford, their names were added as sponsors of **Senate Bill No. 3362**.

On motion of Senator Stewart, his name was added as prime sponsor of **Senate Bill No. 1916**.

On motion of Senator Johnson, his name was removed as sponsor of **Senate Bill No. 1916**.

On motion of Senator Bunch, his name was added as sponsor of **Senate Bill No. 3012**.

On motion of Senator Herron, his name was added as sponsor of **House Joint Resolutions Nos. 1010, 1011, 1012, 1013, 1014 and 1015**.

On motion of Senator Berke, his name was added as sponsor of **Senate Bills Nos. 2801 and 3392; and Senate Joint Resolution No. 916**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bills Nos. 2686, 3012 and 3740; and House Joint Resolution No. 1006**.

ENGROSSED BILLS

April 12, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2198, 3255, 3257, 3275, 3304, 3321, 3627, 3727 and 3804; and Senate Joint Resolutions Nos. 764, 784, 798, 886, 890, 897, 913, 914, 915, 916, 918, 919, 920, 921, 922 and 965; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 185, 2548, 2663, 3153, 3196, 3225, 3732, 3879, 3939 and 3973; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2681, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3293, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3913, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 704, adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 786, 806, 807, 1016, 1022, 1038, 1042, 1043, 1044 and 1045; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to notify the Senate, House Resolution No. 265, was adopted by the House by over a two-thirds majority vote.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 223, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2441, 2945 and 3929; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2505 and 2826, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 911 and 912, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 918, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

April 13, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 223, 2441, 2505, 2826, 2945, 3731 and 3929; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 13, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 911, 912 and 918; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

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MESSAGE FROM THE HOUSE

April 12, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1578, 2634, 2705, 2913, 3023, 3500 and 3966; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 13, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 906, 961, 1006, 1008, 1009, 1021 and 1038; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

April 12, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 444, 2584, 2585, 2827, 3140, 3212, 3514, 3590, 3725, 3726 and 3841.

SIGNED

April 13, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 911, 912 and 918.

SIGNED

April 13, 2010

The Speaker announced that he had signed the following: House Bills Nos. 1578, 2634, 2705, 2913, 3023, 3500 and 3966.

SIGNED

April 13, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 906, 961, 1006, 1008, 1009, 1021 and 1038.

MESSAGE FROM THE HOUSE

April 13, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 444, 2584, 2585, 2827, 3140, 3212, 3514, 3590, 3725, 3726 and 3841; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 13, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 911, 912 and 918; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 13, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 444, 2584, 2585, 2827, 3140, 3212, 3514, 3590, 3725, 3726 and 3841; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 13, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 911, 912 and 918; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 13, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2645, 2988, 3172, 3296 and 3435; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 15, 2010: Senate Joint Resolutions Nos. 923, 924, 925, 926, 928, 929, 930, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963 and 964; and House Joint Resolutions Nos. 1010, 1011, 1012, 1013, 1014, 1015, 1017, 1018, 1020, 1023, 1024, 1025, 1026, 1027, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037 and 1039.

This the 13th day of April, 2010.
MIKE FAULK, Chairperson.

MONDAY, APRIL 12, 2010 -- 80TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, April 15, 2010: Senate Bills Nos. 3924, 3930, 3931, 3932, 3933, 3934, 3936, 3939 and 3944.

This the 13th day of April, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 15, 2010: Senate Joint Resolution No. 698; Senate Bills Nos. 194, 1142, 1472, 1743, 2488, 2563, 2832, 2959, 3314, 3402, 3689, 1444, 2465, 2714, 2735, 3194, 3346, 3361, 3392, 3575 and 3828; and House Bills Nos. 2510 and 3711.

This the 13th day of April, 2010.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, April 15, 2010: Senate Bills Nos. 2403, 2587, 2643, 2813, 2859, 2933, 3034, 3277, 3583 and 3854; and House Bill No. 3291.

This the 13th day of April, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Black moved the Senate adjourn until 9:00 a.m., Thursday, April 15, 2010, which motion prevailed.